

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

RAFAEL A. JONES, SR., )  
Petitioner, )  
v. )  
JEFF NORMAN, )  
Respondent. )  
No. 4:12CV511 TCM

## MEMORANDUM AND ORDER

This matter is before the Court on Jones' application for writ of habeas corpus brought pursuant to 28 U.S.C. § 2254. In his petition, Jones, who is serving a state imposed prison sentence, seeks to reverse an adverse judgment in a prior federal civil court action brought pursuant to 42 U.S.C. § 1983 and RICO. Section 2254 provides relief to prisoners in state custody seeking to overturn a state court criminal conviction allegedly assessed in violation of the Constitution or laws or treaties of the United States. As Jones is not attempting to challenge a state court judgment, this case is not cognizable in § 2254 proceedings, and the Court will summarily dismiss this action. See Rule 4 of the Rules Governing Section 2254 Cases.

Moreover, the Court notes that Jones is a frequent filer of frivolous and malicious actions, and he may not proceed in forma pauperis in civil actions before

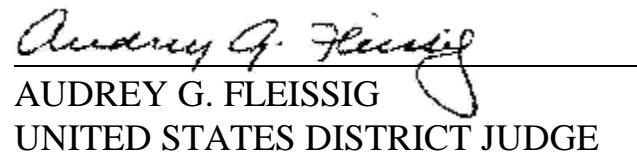
this Court because he has incurred at least three “strikes” under 28 U.S.C. § 1915(g). The instant filing appears to be an attempt to circumvent § 1915(g) through creative titling of his pleadings. This is impermissible.

Accordingly,

**IT IS FURTHER ORDERED** that this action is **DISMISSED**.

**IT IS FURTHER ORDERED** that the Court will not issue a certificate of appealability.

Dated this 4th day of April, 2012.

  
AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE